

REMARKS

The Examiner has objected to informalities in Claims 1 and 2, in that each of the Claims should begin with a capitalized letter "A". Claims 1 and 2 have been amended to address the objected-to informality.

The Examiner notes that the specification is viewed to be improper. First the Examiner "notes that the second page of the specification indicates that the current application is a division of a concurrently filed application and that they are both a CIP of 10/378,183." Applicant has amended the specification to be more clear of the applicant's intent in the filing of this application. This application is a divisional application of a Continuation-in-Part application. The CIP application has a parent application having the serial number 10/378,183, being filed on March 03, 2003.

The specification has been amended to properly and accurately identify the type of application and the claim of priority as set forth in the rules.

35 U.S.C. §120 requires that a specific reference be made to the earlier filed application. The applicant referenced the earlier filed parent application in the first sentence of the application using the filing date and the serial number, to wit: "Serial Number 10/378,183, filed on March 03, 2003", therefore claiming priority back to the filing date of 03 March, 2003. In

addition, the applicant in the same first sentence referenced the specific application that was a CIP of the parent application. Because this divisional application and the CIP were filed on the same day, no serial number was available for the applicant to reference when preparing the application. It is anticipated that this statement of facts, along with the amendment to the specification, will constitute a proper and complete response to the Examiner's objection, and remedy said objection. The applicant, therefore, requests that the Examiner withdraw his objection to the application on this issue.

The Examiner has objected to the drawings. In response thereto, applicant submits herewith revised Figs. 1 and 2 wherein reference numeral 350 has been inserted. It is believe that these amended drawings overcome this objection. Applicant wishes to thank the Examiner for his attention to detail.

The Examiner has rejected Claims 1-4 under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as his invention. Claims 1 and 2 have been amended to comply with and fully respond to the Examiner's rejection. There has been no stated cause for rejection for the claims other than Claims 1 and 2, and so the applicant anticipates that the citing of "Claims 1-4" should be taken to mean "Claims 1-2".

The Examiner has rejected Claims 2-4 under 35 U.S.C. §102 as being anticipated by Pleasant (US 5,261,806). Applicant points out that Pleasant, in the '806 patent, teaches an electrically heated mold insert. Pleasant does not teach a U-shaped shim. Pleasant teaches, instead, a mold which has a molding material injected into a mold cavity 26 (Col. 3, Line 30) via an injection hole 24 (Col. 3, Line 29). The two sides of the Pleasant device 12 and 14 (Col. 3, Line 17) are joined together to form a molding device. In the present invention, the shim is U-shaped so that molding material may be pushed from the die. The Pleasant patent does not teach, either implicitly or explicitly, such a U-shaped shim, or the process of extruding a molten material.

Pleasant also teaches a dielectric that is a round tube (See #48, Figure 2, Pleasant, and Col. 3, Lines 57 - 67) that is around the heating element (#32, Fig. 3). Pleasant teaches a heating tube and not a heating plate.

Examiner takes the "multiple plates on either end" to be the second insulator dielectric plate. While Pleasant does teach each side of the die mold having several plates, Pleasant does not teach that those plates are made of dielectric material.

The Examiner has rejected Claims 2 and 4 under 35 U.S.C. §102(b) as being anticipated by Stavitsky (US 4,462,780). Examiner refers to the '780 patent teaching a U-shaped shim at Fig 1, # 104. The Stavitsky patent refers to 104 as a base plate

(Col. 3, Line 49). Stavitsky describes his base plate as "The base plate 104 is similar to the base plate 16 in that it has opposed inner and outer surfaces 110 and 112 with a mold cavity 114 in the inner surface 110 which mates with the mold cavity 26 to form an overall mold cavity of the size and shape of the article to be molded. The outer surface 112 has an annular recess 116 therein which provides the base plate 104 with a central cylindrical hub 118 and an outer cylindrical rim 120" (Col. 3, Lines 48-58). Stavitsky does not teach a U-shaped shim. Stavitsky does not teach implicitly or explicitly a slot or passage way (which would be part of the U-shaped shim) in the device. Stavitsky does teach a device that couples together to form a mold for an item. Stavitsky does not teach a device that would extrude molten material, as is taught by the present invention.

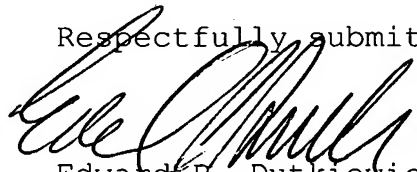
Stavitsky does not teach the use of a first or second dielectric plate. Like Pleasant, supra, Stavitsky does teach a molding device that has several plate-like components. However, Stavitsky does not teach the use of a dielectric plate. The Stavitsky device utilizes either a gas or liquid to effectuate heat control of the device. "Inlet and outlet tubes 60 and 62 are secured in the ends of the inlet and outlet passages 52 and 56, respectively, and extend through the radial passages 56 where they are connected to a source of a temperature control medium"

(Col 2, Lines 56-59). "A tube 100 is within the passage 98 and feeds a cooling medium, such as a gas or liquid, into the passage 98 to cool the core pin 96" (Col 3, Lines 39-41).

The Stavitsky patent functions in a manner different from the teachings of the current application. Stavitsky teaches, "[a]fter the mating mold cavities are completely filled with the molding material, the flow of the heated temperature control medium is stopped and a cooler temperature control medium, such as tap water, is flowed through the grooves 36 and 124. This will cool the mold cavities 36 and 124 so as to harden the molding material within the mold cavities" (Col. 5, Lines 15-21). This function is totally different from that taught by the present invention, which teaches heating a molding material and having it flow out of the die in a molten state.

The applicant, therefore, requests that the Examiner deem this amendment to be fully responsive to all objections and rejections put forth in the office action of 22 November, 2005. The applicant requests that the Examiner withdraw all objections and rejections and pass this application forward to issue.

Respectfully submitted,



Edward P. Dutkiewicz,
Reg. 46,676
640 Douglas Avenue
Dunedin, FL 34698
(727) 734-2855 Telephone
(727) 734-2750 Facsimile

